

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-171-T - ORDER NO. 97-952
NOVEMBER 7, 1997

IN RE: Application of We Haul Services, Inc.,)
 95 Mathews Drive, E-7-127, Hilton Head,)
 SC 29926, for a Class E Certificate of)
 Public Convenience and Necessity.)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the application of We Haul Services, Inc., 95 Mathews Drive, E7-127, Hilton Head, South Carolina 29926 (We Haul or the Company) for a Class E Certificate of Public Convenience and Necessity to transport commodities as follows:

HOUSEHOLD GOODS AS DEFINED IN R. 103-210(1):
Between points and places in Beaufort and
Jasper Counties.

The Commission's Executive Director required We Haul to publish a Notice of Filing in a newspaper of general circulation in the area in which service is sought, one time. The Notice informed the public of ways to participate in the proceedings in this case before the Commission. The Company sent in an affidavit to show compliance with the directives of the Executive Director. Petitions to Intervene were filed by Chavis Moving & Storage, Inc. and Carolina Moving & Storage, Inc.

A hearing was held on this matter on October 28, 1997 at 2:30

P.M. in the offices of the Commission, with the Honorable Guy Butler, Chairman, presiding. We Haul was represented by Paul B. Rodgers, III, Esquire. We Haul presented the live testimony of Jeff Borthick, and the deposition testimony of Steve Gottfried and Diane Pearce. The Intervenors did not appear at the hearing. The Commission Staff was represented by F. David Butler, General Counsel. Staff presented no witnesses.

Jeff Borthick testified that he and his partner, Tom O'Leary, intend to gear their service towards smaller moves, such as moves from and to apartments. He noted that O'Leary had been involved in the freight hauling business for ten years and that he had experience in moving.

Borthick testified with regard to equipment owned by the Company for use in the movement of household goods, and the rates that the Company intended to charge for its services. He also noted that he had been in touch with the Department of Public Safety in order to move towards the establishment of a safety program, and that he had received an insurance quote for his equipment. Borthick also noted that there were no outstanding judgments against the Company.

The deposition testimony of Steve Gottfried, owner of Gottfried's Island Movers, was presented. Gottfried testified that he has had to turn down small jobs, and that there is a need on Hilton Head Island for another small mover.

Diane Pearce, facilities manager for Storage Trust, also testified by deposition. Ms. Pearce noted that We Haul currently

does loading for her Company. She states that most of the other movers on the Island are too busy to do her Company's work. Ms. Pearce notes that her Company has need for small load deliveries, such as those proposed to be done by We Haul.

Upon examination of the Application, the representations contained therein, the documentary evidence attached thereto, and the testimony in the hearing, the Commission finds that We Haul is fit, willing and able to perform the service to the public under the authority sought. We also find that, based on the evidence in the case, the granting of the Certificate is required by the public convenience and necessity.

IT IS THEREFORE ORDERED:

1. That the Application for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved as filed, for authority to transport household goods between points and places in Beaufort and Jasper Counties.

2. That the Applicant file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

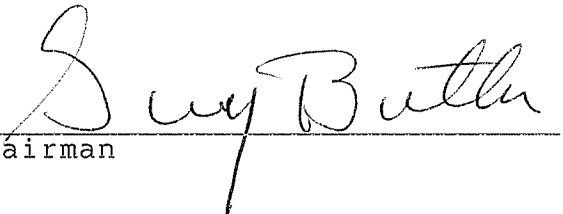
3. That upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and

Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.


4. That prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein may not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)